Calendar No. 790

82D CONGRESS, 1st Session } SENATE { REPORT No. 807

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MICHIYO CHIBA

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2158]

The Committee on the Judiciary, to which was referred the bill (S. 2158) for the relief of Michiyo Chiba, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial-exclusion provision of the immigration laws in behalf of Michiyo Chiba, who is the stepchild of a citizen of the United States. The child would be considered to be a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 7-year-old native and citizen of Japan and is the stepchild of Corp. Walter V. Subacz, a citizen of the United States. Corporal Subacz married the mother of the beneficiary of the bill in Japan on July 31, 1951. Mrs. Subacz is eligible for admission into the United States under the provisions of Public Law 717 of the Eighty-first Congress. The bill would permit Corporal and Mrs. Subacz to bring the child with them when they return to the United States.

Senator Alexander Wiley, the author of the bill, has submitted the following information in connection with the case:

GENERAL HEADQUARTERS, FAR EAST COMMAND,
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,
8 September 1951.

Hon. ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: Corp. Walter V. Subacz, RA-1628388, Waukesha, Wis., the son of Mrs. Jenny Subacz Kunde and William Kunde, Route 6, Box 533, Waukesha, Wis., was married on the 31st of July 1951 to Kofumi Chiba, a

Japanese national, who has one child, Michiyo Chiba, born 14 February 1944. Corporal Subacz would like to bring this child to the United States when he and his wife are returned under competent Army orders.

Corporal Subacz has asked me to request you to introduce a private bill in Congress for the relief of Michiyo Chiba, a stepchild, who is a Japanese national. Attached please find certificate of witness to marriage, issued by the Foreign Service of the United States of America, signed by Richard H. Lamb, vice consul of the United States of America for Tokyo, Japan, showing that Corporal Subacz was married to Kofumi Chiba on 31 July 1951, together with certified copy of English translation of the family register showing the birth of Kofumi, Corporal Subacz' wife, and birth of her child, Michiyo, who was born 14 February 1944. Enclosed for your information are letters of character reference from Capt. Clarence W. Coyne, Corporal Subacz' commanding officer, Dewey S. Johnston, first lieutenant, Quartermaster Corps; Chaplain Arden Fredine, and certificate of First Lt. T. L. Triplett, the responsible finance officer at Camp Drake, Tokyo, Japan. Medical certificate covering physical examination of the child, Michiyo, by a United States Army doctor, is now in process and will be forwarded to you under separate cover, as soon as received from the dispensary.

During the month of June 1951, there was a radio broadcast in connection with H. R. 2379, introduced by Congressman Walters, which would provide for a revision of the immigration and naturalization laws, and contains provision which will clear for admission under nonquota preference the stepchild of an American citizen, regardless of the child's nationality. I do not know the fate of this bill, but will appreciate your advice on the subject.

Corporal Subacz' tour of duty in the Far East will be completed during November 1951, and anything you can do to expedite the private bill will be appreciated by him. In the event the information furnished you is insufficient for the customary background report to the Immigration and Naturalization Service, please advise what is required, and same will go forward to you immediately. The medical certificate for the child will be placed in the mail as soon as possible.

Corporal Subacz and his wife have requested me to express to you their appreciation for your assistance in this matter.

Sincerely yours,

MARY C. EASTERLING,
Attorney-Adviser.

Six enclosures:

1. Certificate of witness to marriage.
2. Family register.
3. Character reference (Coyne).
4. Character reference (Johnston).
5. Character reference (Fredine).
6. Financial statement.

CAMP DRAKE COMPOSITE SERVICE,
8,013TH ARMY UNIT,
Camp Drake, 31 August 1951.

CHARACTER REFERENCE

Corp. Walter V. Subacz, RA-16283880, has served under my command since about 10 May 1951. He is of excellent character and is a very congenial-natured person. Corporal Subacz is serious-minded and has determination to make his marriage a successful and lasting one. I have never known Corporal Subacz to drink or to possess any habits that would be of a bad influence on children. In my opinion Corporal Subacz would make a very good father.

CLARENCE W. COYNE,
Captain, Armor,
Commanding.

CAMP DRAKE COMPOSITE SERVICE CO.,
8,013TH ARMY UNIT,
7 September 1951.

CHARACTER REFERENCE

Corp. Walter V. Subacz, RA-16283880, has been assigned to my section since about February 1949. He is serious, industrious, and of excellent character. He has no habits that would be a bad influence on children. In my opinion, Corporal Subacz would make a good father.

DEWEY S. JOHNSTON,
First Lieutenant, Quartermaster Corps,
Commissary Officer.

CAMP DRAKE,
5 September 1951.

CHARACTER REFERENCE

Corp. Walter V. Subacz, RA-16283880, has been stationed at Camp Drake for the past 3 years. I have had some contact with him and found him to be of excellent character. He is serious-minded and determined to make his marriage a successful one. He has no habits which would be of bad influence on children. He would make a very good father, in my opinion.

ARDEN FREDINE,
Major,
Post Chaplain.

CAMP DRAKE (TOKYO), JAPAN,
31 August 1951.

CERTIFICATE

I certify that I, am the official custodian of the service record of Corp. Walter V. Subacz, RA-16283830, Camp Drake Composite Service Co., 8013th Army Unit, and that his status as a soldier in the Regular Army of the United States is as follows:

(*a*) Date of enlistment: Enlisted on 30 January 1951 for a period of 6 (3) years.

(*b*) Date due for discharge: 29 January 1957.

(*c*) Base pay, $124.95; Foreign-service pay, $13; Government contribution toward class Q allotment, $67.50.

(*d*) Total net income: $205.45 (monthly).

T. L. TRIPLETT,
First Lieutenant, Adjutant General Corps,
Personnel Officer.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2158) should be enacted.

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